GOVERNMENT OF INDIA
RAILWAYS
LOK SABHA

STARRED QUESTION NO:120
ANSWERED ON:10.03.2005
COMPENSATION CLAIM CASES BEFORE RCT
Pathak Shri Brajesh

Will the Minister of RAILWAYS be pleased to state:

(a) the number of cases relating to refund of fare and accident compensation claims disposed of by the Railway Claims Tribunal (RCT)alongwith the total amount paid by the Tribunal during last one year, till date, separately;

(b) the number of cases pending before the RCT, till date;

(c) the time since when these cases are pending and the reasons for delay in disposing of cases; and

(d) the steps taken/to be taken by the Government for speedy disposal of pending claims and the time by which these pending claim cases are likely to be disposed of?

Answer

MINISTER OF RAILWAYS (SHRI LALU PRASAD)

(a) to (d): A statement is laid on the Table of the Sabha.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (d) OF STARRED QUESTION N0.120 BY SHRI BRAJESH PATHAK TO BE ANSWERED IN LOK SABHA ON 10-03-2005 REGARDING COMPENSATION CLAIM CASES BEFORE RCT

(a): Disposal of cases

Year	No. of refund of fare cases	Amount decreed by the Tribunal (Rs.)	No.of Accident compensation claim cases	Amount decreed by the Tribunal (Rs.)
2003-04	9	34,000	438	5.59 Crore
2004-05 (upto 1-2-05)	5	2,794	307	2.60 Crore

(b) 6 cases of refund of fare and 395 cases of train accident compensation claims are pending as on 01.02.2005.

(c) Out of 6 cases of fare refund pending in Railway Claims Tribunal(RCT), 4 cases are less than 1 year old and 2 cases are 4 years & 5 years old respectively.

Out of 395 cases of accident compensation claims cases, age-wise pendency is as under:-

Less than 1 year	195
1 year old	133
2 years old	42
3 years old	19
4 years old	2
5 years & above	4

The main reasons for delay in settlement of cases by Railway Claims Tribunal are:-

(a) Vacancies of Members from time to time.

(b) Non-availability of heirship title with the claimants.

(c) Adjournment sought by the applicant/their counsel for producing evidence, etc.

(d) Transfer of claims cases from one Bench to the other, sought by the claimants.

(d): Railway Claims Tribunal is a judicial body, as such no time limit is fixed for disposal of cases. However following steps have been taken for speedy disposal of cases.

1 RCT (Procedure) Rules have been amended, these cover:-

(a) An application for accident compensation cases can be filed before the Bench having territorial jurisdiction over the place from which the passenger obtains or purchases his pass or ticket or where the accident or untoward incident occurs or where the place of destination station lies or where the claimant normally resides.

(b) RCT to pronounce an order with in 21 days after final hearing.

(c) Earlier the affidavits were attested by Notary Public. For the convenience of claimants, the Registrars have also been empowered to attest the same.

(d) The Registrar of the Tribunal has been empowered to monitor and see that the payment of compensation award is made expeditiously to the claimants by the Railway Administration.

2. Chairman, Railway Claims Tribunal is empowered to depute a Member of one Bench to the other Bench for holding Circuit Bench to clear the backlog.

3. Following administrative measures are also taken:

(i) An Accident cell is set up at each zonal Head quarter to provide assistance for filing accident compensation claim and monitor them till the satisfaction of decree in the Railway Claims Tribunal.

(ii) After the decree has been passed, payment of accident claims compensation is made at the earliest.

4. In order to provide on line information regarding status of claims, Computerization of Railway Claims Tribunal and creation of website has been announced in the Railway Budget 2005-2006.